REMARKS

Claims 1-22 are pending in this application. By this Amendment, claims 2, 5, 6, 7, 8, 9, 10, 11, 14 are amended and claim 22 is added. The specification is amended to correct a minor informality. Support for the amendment may be found in at least Figs. 6, 7 and 9, and specification at page 51, lines 4-22, and page 77, lines 3 - page 78, lines 10. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claim at least in light of the following remarks.

Claims 5-7 and 9-11 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By this Amendment, claims 5-7 and 9-11 are amended in accordance with the Office Action's suggestions. Applicant respectfully requests withdrawal of the rejection.

Claims 1, 2, 4, 12, 20, and 21 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0170452 (Hayashi). Applicant respectfully traverses the rejection.

In response to the rejection, Applicant submits a translation of the priority document (JP 2003-093389) from which the present application claims priority. The translation of the priority document perfects Applicant's priority filing date of March 31, 2003, which is earlier than the filing date of Hayashi, December 18, 2003. Thus, Hayashi is disqualified as a prior art. Therefore, the rejection is improper. Applicant respectfully requests withdrawal of the rejection.

Claims claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashi in view of U.S. Patent No. 6,982,805 (Yoshida). Applicant respectfully traverses the rejection.

This rejection is premised upon the presumption that Hayashi is qualified as a prior art. The subject matter of claim 3 is supported in the priority document. Thus, as discussed above, Hayashi is disqualified as a prior art. Yoshida fails to make up for the deficiency of

Hayashi. Thus, the rejection is improper. Applicant respectfully requests withdrawal of the rejection.

Claims 8, 15, and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashi in view of U.S. Patent Publication No. 2002/0041384 (Moriura). Applicant respectfully traverses the rejection.

This rejection is premised upon the presumption that Hayashi is qualified as a prior art. As discussed above, Hayashi is disqualified as a prior art. Moriura fails to make up for the deficiency of Hayashi. Thus, the rejection is improper. Applicant respectfully requests withdrawal of the rejection of claims 15 and 16.

Furthermore, regarding the rejection of claim 8, the combined references at least fail to disclose, suggest or teach the following three features as recited in claim 8.

First, the combined references fail to disclose "a reading control portion that provides control such that, when a plurality of documents having images formed on both sides thereof are to be read by the reading portion, images formed on one surfaces of the documents are read in sequentially and are stored sequentially in the storage portion, and then, after the reading in of the one surfaces of the documents is completed, images on the other surfaces of the documents are read in sequentially and are stored sequentially in the storage portion." The Office Action asserts that paragraphs [0017](especially the last four lines) and [0074] disclose the claimed reading control portion. However, the last four lines of paragraph [0017] disclose that, only for a first copy sheet, the double-sided image formation is earlier than the start of the reading of the second image of a following copy sheet. In addition, paragraph [0074] only discloses the productivity of the double-sided copy operation in a series of printing operations. Further, in Hayashi, the reading of document image is performed in a following order; the front-side image (1-1) and the back-side image (1-2) of the first sheet, and then the front front-side image (2-1) and the back-side image (2-20 of the second sheet

(paragraph [0081]). Thus, Hayashi fails to disclose "a reading control portion that provides control such that, when a plurality of documents having images formed on both sides thereof are to be read by the reading portion, images formed on one surfaces of the documents are read in sequentially and are stored sequentially in the storage portion, and then, after the reading in of the one surfaces of the documents is completed, images on the other surfaces of the documents are read in sequentially and are stored sequentially in the storage portion." Moriura fails to make up for the deficiency of Hayashi. Thus, the combined references fail to disclose the above claimed feature.

Second, the combined references fail to disclose "image forming control portion that reads out, from the storage portion, image data for the one surfaces of the documents and the corresponding image data of the other surfaces of the documents, that controls the image forming portion to form images sequentially on the recording medium based on the image data, and that causes the start of the forming of images on the recording medium by the image forming portion before the reading in of all of the other surfaces of the documents by the reading portion has been completed." The Office Action asserts Hayashi discloses above claimed feature since paragraph [0080] discloses forming the image of the 1st document before the reading of the 2nd page has been completed. However, paragraph [0080] further discloses that when starting the image of page 2, the reading of the image of page 3 is already completed. In addition, the paragraph [0017] discloses that, only for a first copy sheet, the double-sided image formation occurs earlier than the start of the reading of the second image of a following copy sheet. Thus, Hayashi fails to disclose "image forming control portion that reads out, from the storage portion, image data for the one surfaces of the documents and the corresponding image data of the other surfaces of the documents, that controls the image forming portion to form images sequentially on the recording medium based on the image data, and that causes the start of the forming of images on the recording medium by the image

forming portion before the reading in of all of the other surfaces of the documents by the reading portion has been completed." Moriura fails to make up for the deficiency of Hayashi. Thus, the combined references fail to disclose the above claimed feature.

Third, the combined references fails to disclose "the reading in of the other surface of a particular document and the image forming based on the image data for the other surface of the particular document are performed in parallel." The Office Action asserts that Hayashi discloses this claimed features since, in Hayashi, during imaging of the 1st document the 2nd document is reading. However, Hayashi only discloses the relationship between the 1st document and the 2nd document as the Office Action indicates, but does not address the relationship between the same document. Thus, Hayashi fails to disclose the feature of "the reading in of the other surface of a particular document and the image forming based on the image data for the other surface of the particular document are performed in parallel." Moriura fails to make up for the deficiency of Hayashi. Thus, the combined references fail to disclose the above claimed feature.

For these additional reasons, claim 8 is patentable over Hayashi and Moriura. Applicant respectfully requests withdrawal of the rejection.

Claims 9-11, 13, 14 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hayashi. Applicant respectfully traverses the rejection.

Regarding the rejection of claims 9-10, 13, 14 and 19, this rejection is premised upon the presumption that Hayashi is qualified as a prior art. As discussed above, Hayashi is disqualified as a prior art. Therefore, the rejection is improper.

Furthermore, regarding the rejection of claim 11, Hayashi fails to disclose or render obvious the following four features as recited in claim 11.

First, as discussed above, Hayashi fails to disclose, suggest or teach "a reading control portion that provides control such that, when a plurality of documents having images formed

on both sides thereof are to be read by the reading portion, images formed on one surfaces of the documents are read in sequentially and are stored sequentially in the storage portion, and then, after the reading in of the one surfaces of the documents is completed, images on the other surfaces of the documents are read in sequentially and are stored sequentially in the storage portion."

Second, as discussed above, Hayashi fails to disclose "image forming control portion that reads out, from the storage portion, image data for the one surfaces of the documents and the corresponding image data of the other surfaces of the documents, that controls the image forming portion to form images sequentially on the recording medium based on the image data, and that causes the start of the forming of images on the recording medium by the image forming portion before the reading in of all of the other surfaces of the documents by the reading portion has been completed."

Third, Hayashi fails to render obvious "the reading control portion controls the reading portion to sequentially read in the one surfaces of the documents in an order opposite to the predetermined order, to thereby read in the one surfaces of the documents from the one surfaces of the last document to the one surface of the first document in succession, and to store data for the one surfaces of all the documents in the storage portion, and controls the reading portion to sequentially read in the other surfaces of the documents in the order opposite to the predetermined order and to store data for the other surfaces in the storage portion." The Office Action asserts that the concept of FILO or first in memory is last to be read out from memory is well known. However, even if the concept may be well known, it does not suggest "to sequentially read in the one surfaces of the documents in an order opposite to the predetermined order... and to sequentially read in the other surfaces of the documents in the order opposite to the predetermined order. As discussed above, Hayashi also fails to disclose this feature (see paragraph [0081] of Hayashi). Thus, Hayashi fails to

render obvious "the reading control portion controls the reading portion to sequentially read in the one surfaces of the documents in an order opposite to the predetermined order, to thereby read in the one surfaces of the documents from the one surfaces of the last document to the one surface of the first document in succession, and to store data for the one surfaces of all the documents in the storage portion, and controls the reading portion to sequentially read in the other surfaces of the documents in the order opposite to the predetermined order and to store data for the other surfaces in the storage portion."

Fourth, Hayashi fails to render obvious "image data for the one surfaces of the documents... and image data for the other surfaces of the documents...is read out alternately... and ...image data for the one surfaces is read out in an order the same as the order in which the image data for the one surfaces of the documents have been read in by the reading portion so that the one surface for one document, which has been read in before the one surface of another document, is read out before the one surface of the other document is read out." The Office Action asserts that the concept of FILO or first in memory is last to be read out from memory is well known. However, even if the concept may be well known, it does not suggest "image data for the one surfaces of the documents... and image data for the other surfaces of the documents...is read out alternately... and ...image data for the one surfaces is read out in an order the same as the order in which the image data for the one surfaces of the documents have been read in by the reading portion so that the one surface for one document, which has been read in before the one surface of another document, is read out before the one surface of the other document is read out." Thus, Hayashi fails to render obvious "image data for the one surfaces of the documents... and image data for the other surfaces of the documents...is read out alternately... and ...image data for the one surfaces is read out in an order the same as the order in which the image data for the one surfaces of the documents have been read in by the reading portion so that the one surface for one document,

which has been read in before the one surface of another document, is read out before the one surface of the another document is read out."

For these additional reasons, claim 11 is patentable over Hayashi. Applicant respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachments:
Petition for Extension of Time
English-Language Translation of JP 2003-093389

Date: February 5, 2009

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